

**BEFORE THE PUBLIC UTILITIES COMMISSION OF THE STATE OF CALIFORNIA**

Joint Application of AT&T Communications of California, Inc. (U 5002 C) and WorldCom, Inc. for the Commission to Reexamine the Recurring Costs and Prices of Unbundled Switching in Its First Annual Review of Unbundled Network Element Costs Pursuant to Ordering Paragraph 11 of D.99-11-050.

Application 01-02-024  
(Filed February 21, 2001)

Application of AT&T Communications of California, Inc. (U 5002 C) and WorldCom, Inc. for the Commission to Reexamine the Recurring Costs and Prices of Unbundled Loops in Its First Annual Review of Unbundled Network Element Costs Pursuant to Ordering Paragraph 11 of D.99-11-050.

Application 01-02-035  
(Filed February 28, 2001)

Application of The Telephone Connection Local Services, LLC (U 5522 C) for the Commission to Reexamine the Recurring Costs and Prices of the DS-3 Entrance Facility Without Equipment in Its Second Annual Review of Unbundled Network Element Costs Pursuant to Ordering Paragraph 11 of D.99-11-050.

Application 02-02-031  
(Filed February 28, 2002)

Application of AT&T Communications of California, Inc. (U 5002 C) and WorldCom, Inc. for the Commission to Reexamine the Recurring Costs and Prices of Unbundled Interoffice Transmission Facilities and Signaling Networks and Call-Related Databases in Its Second Annual Review of Unbundled Network Element Costs Pursuant to Ordering Paragraph 11 of

Application 02-02-032  
(Filed February 28, 2002)

D.99-11-050.

Application of Pacific Bell Telephone Company (U 1001 C) for the Commission to Reexamine the Costs and Prices of the Expanded Interconnection Service Cross-Connect Network Element in the Second Annual Review of Unbundled Network Element Costs Pursuant to Ordering Paragraph 11 of D.99-11-050.

Application 02-02-034  
(Filed February 28, 2002)

Application of XO California, Inc. (U 5553 C) for the Commission to Reexamine the Recurring Costs of DS1 and DS3 Unbundled Network Element Loops in Its Second Annual Review of Unbundled Network Element Costs Pursuant to Ordering Paragraph 11 of D.99-11-050.

Application 02-03-002  
(Filed March 1, 2002)

**ADMINISTRATIVE LAW JUDGE'S RULING  
GRANTING INTERVENTION REQUESTS OF THE CALIFORNIA  
ASSOCIATION OF THE COMPETITIVE TELECOMMUNICATIONS  
COMPANIES (CALTEL), NAVIGATOR TELECOMMUNICATIONS, LLC,  
AND VYCERA COMMUNICATIONS, INC.**

On June 1, 2004, Vycera Communications, Inc. (Vycera) filed a motion to intervene in the above-captioned proceedings. On June 3, 2004, California Association of Competitive Telecommunications Companies (CALTEL) and Navigator Telecommunications, LLC (Navigator) also filed separate intervention requests. Vycera, CALTEL and Navigator move to intervene solely to comment on the Proposed Decision of the Administrative Law Judge and the Alternate Decision of Commissioner Wood issued on May 3, 2004. There were no responses to the motions to intervene.

Vycera is a competitive local exchange carriers (CLC) focused on serving Spanish-speaking consumers, with approximately 20,000 customers in California.

Vycera explains that it did not intervene sooner because it did not believe it could effectively contribute to the underlying facts of the proceeding related to the costs associated with SBC's network. It seeks to comment on the Proposed and Alternate Decisions solely on the policy implications of the "true-up" of interim rates once permanent rates are adopted.

CALTEL is a California-based industry association with a membership comprised of nearly forty competitive telecommunications companies that compete with SBC California (SBC) to provide local exchange and interexchange telecommunications services. Membership in CALTEL ranges from small entrants to larger service providers, and facilities-based carriers to those relying solely on the networks of incumbent local exchange carriers like SBC. CALTEL seeks intervention to give voice to the views and interests of its smaller member companies who cannot afford to participate in the case on their own. According to CALTEL, it did not intervene earlier because it was financially constrained from doing so.

Navigator is a CLC based in Arkansas that offers service in California, predominantly through the use of unbundled network elements (UNEs). Navigator serves both residential and business customers. According to Navigator, it could not afford to participate until now given its limited resources.

The parties maintain that they will accept the record as it has been developed, will not seek to broaden the issues, and are seeking intervention solely to comment on the Proposed and Alternate Decisions. Good cause having been shown, the requests to intervene should be granted, on the condition that the parties may not broaden the issues in the case or unduly delay the schedule.

Therefore, **IT IS RULED** that:

1. The motions to intervene filed by the California Association of Competitive Telecommunications Companies, Vycera Communications, Inc., and Navigator Telecommunications, LLC are granted.
2. The process office and the parties are directed to add the following names to the service list for this proceeding:

Eric J. Branfman  
Attorney for Vycera Communications, Inc.  
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Dated August 12, 2004, at San Francisco, California.

/s/ DOROTHY J. DUDA

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Dorothy J. Duda  
Administrative Law Judge

## **CERTIFICATE OF SERVICE**

I certify that I have by mail this day served a true copy of the original attached Administrative Law Judge's Ruling Granting Intervention Requests of the California Association of the Competitive Telecommunications Companies (CALTEL), Navigator Telecommunications, LLC, And Vycera Communications, Inc. on all parties of record in this proceeding or their attorneys of record.

Dated August 12, 2004, at San Francisco, California.

/s/ FANNIE SID

Fannie Sid

## **N O T I C E**

Parties should notify the Process Office, Public Utilities Commission, 505 Van Ness Avenue, Room 2000, San Francisco, CA 94102, of any change of address to insure that they continue to receive documents. You must indicate the proceeding number on the service list on which your name appears.